



TOWN OF BEAUX ARTS VILLAGE

PLANNING COMMISSION

MINUTES

August 18, 2004

Clemett

PRESENT: Acting Chairman Carol Clemett, Commissioners Jake Donoghue, Sylvia Hobbs, Andy Stefan, and Dennis Casey.

GUESTS: Mon Green, Town Planner

DEPUTY TOWN CLERK: Betsy Donworth

Acting Chairman Clemett called the meeting to order.

Minutes: Commissioner Hobbs moved to approve the minutes of the July 15, 2004 meeting as written. Commissioner Donoghue seconded the motion and the motion was then approved.

BUILDING HEIGHT: It was noted that the correct maximum building height in Yarrow Point is 25 feet, not 30 feet... Commissioners discussed this aspect of the Yarrow Point zoning code in light of their on-going discussion regarding modifications to the building height provisions in the BAV zoning code (possibly requiring that maximum building height remain 30' but that it be measured from any point on the ground at existing grade, not using an average). Focusing on the importance of establishing existing or original grade in determining the height measurement of a structure, the commissioners discussed the need for requiring a topographical survey at the time demolition is applied for in order to insure that building height is consistently measured from the existing grade. Commissioner Stefan suggested that it would be difficult to go back to original grade and it is more reasonable to use existing. Requiring such a survey would not require an ordinance change, and after further discussion, the commissioners agreed that the building permit instructions will be changed to include an additional requirement: in order to establish the existing grade of the property, the permit applicant must submit a topographic survey at the time of application for 1) a demolition permit or 2) a building permit for reconstruction or remodel that involves work of the foundation and/or roofline of the existing structure. This change will be included in a memo to the Town Council discussing proposals from the Planning Commission. The commissioners agreed that the issue of building height can be considered separately from grade, and continued the discussion on maximum structure height. Commissioner Stefan brought up the idea of reducing height to less than 30'. Discussion focused on the impact this would have on existing homes, noting that it would create a

problem by making many homes non-conforming. Planner Green suggested that the Planning Commission could recommend having a maximum building height of 30', with the building following the grade of the land, insuring that nothing would be above 30'. After further discussion, the commissioners agreed unanimously that the zoning ordinance should be modified to require that maximum building height be 30' measured from any point on the ground at the existing grade. In addition, height flags will be posted for 14 days when there is new construction or when the height of an existing structure will be increased. This suggestion will be forwarded to the Town Council for their opinion on how the Planning Commission should proceed.

The commissioners also suggested that permits should be posted on the property while construction is going on, and that permit information should be printed in the Town Bulletin.

Landscape structures n the setbacks:

The commissioners agreed that in a memo to the Town Council, the points listed by Commissioner Hobbs (July 16, 2004 memo) will be reiterated and that with respect to the issue of permanence, the Planning Commission developed this list of landscape features in response to interest by the Board of Adjustment and others that certain landscape features should be allowed in property setbacks, whether they are permanent or not and that the zoning ordinances should be amended accordingly.

Respectfully submitted,

Betsy Donworth
Deputy Town Clerk